IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No.1517 of 2004 (S/S)

1. Rajendra Singh Bhandari
   S/o Manvar Singh
   Gram- Kunti, Patti Dabarlsuin
   District Pauri Garhwal.
2. Manvar Singh, S/o Sri Jaman Singh
   Gram Kunti, Patti Dabralsuin
   District Pauri Garhwal

..... Petitioners

Versus

1. State of Uttaranchal
   Through the Chief Secretary Forest
   Dehradun.
2. Chief Conservator of Forest
   Dehradun.
3. Divisional Forest Officer
   Lansedowne- Van Prabhag
   District Pauri Garhwal.

..... Respondents

Shri. V.K. Bisht, learned counsel for the petitioners.
Learned Standing Counsel for the State.

Hon'ble Prafulla C. Pant, J

Learned counsel for the parties are present.

2. By means of this petition, the petitioners have sought regular appointment on Class IV post. As narrated in the writ petition, the facts of the case are that on 29.08.2000, a man-eater leopard killed 13 years old sister of petitioner No.1. The hunters were engaged by the Forest Department to kill the man-eater leopard. In an attempt to kill said animal, the bullet of hunter hit mother of the petitioner No. 1. It appears that considering the pathetic condition of the family of the petitioners, the petitioner No. 1 was given job on daily wages by the Forest Department. But in view of the principle of law

laid down in ***Secretary, State of Karnataka Vs. Uma Devi, reported in (2006) Supreme Court Cases, Pg. 01,*** wherein it has been held that the workers on daily wages or the persons who get employed without undergoing regular selection process, should not be permitted to be absorbed or made permanent against the constitutional scheme of public employment, this Court is not inclined to issue direction to regularize service of petitioner No. 1, as such, the petition is liable to be dismissed.

4. Therefore, the writ petition is dismissed with the observation that in the above circumstances, the petitioners may make representation to the authority concerned for appropriate relief. Interim order, if any, stands vacated. (All pending applications also stand disposed of).

(Prafulla C. Pant, J.)

Dt.14.11.2006
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